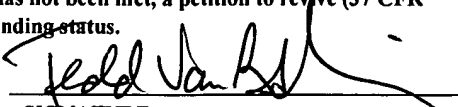


DT02 Rec'd PCT/PTO 1 4 FEB 2005

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER 80337.0018 US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, use 37 C.F.R. 1.5) To Be Determined 10/524864
INTERNATIONAL APPLICATION NO. PCT/US02/025654	INTERNATIONAL FILING DATE 13 August 2002	PRIORITY DATE CLAIMED
TITLE OF INVENTION REMOTELY ADJUSTABLE GASTRIC BANDING DEVICE AND METHOD		
APPLICANT(S) FOR DO/EO/US Frederick L. COE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98, PTO Form 1449 and copy of International Search Report. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825 17. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 19. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard 		

O. (If known, give 37 CFR 1.50)		INTERNATIONAL APPLICATION NO. PCT/US02/025654		ATTORNEY'S DOCKET NUMBER 80337.0018 US	
20. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):					
Basic National Stage fee..... \$300.00					
National Stage Search fee..... \$100.00					
National Stage Examination fee..... \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	500.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	24 - 20 =	4	x \$ 50.00	\$	200.00
Independent Claims	- 3 =	0	x \$ 200.00	\$	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00	\$	0
For every 50 sheets or fraction thereof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium)			+ \$ 250.00		
TOTAL OF ABOVE CALCULATIONS =				\$	200.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$
SUBTOTAL =				\$	700.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	700.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	
				charged:	\$700.00
<p>a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-3024</u> in the amount of <u>\$700.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3024</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:					
Hogan & Hartson L.L.P. 875 Third Avenue New York, New York 10022 Customer No.: 41913					
 SIGNATURE					
NAME					
Tedd W. Van Buskirk					
REGISTRATION NUMBER					
46,282					
Date: February 14, 2005					

10/524864

DT05 Rec'd PCT/PTO 14 FEB 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Post Office as "Express Mail" in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on

Date: February 14, 2005

Name: Pamela D. Howe

Signature:

Pamela D. Howe
Hogan & Hartson, L.L.P.

Docket No. 80337.0018 US

Customer No. 41913

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frederick L. COE

File Date: To be Determined

Group Art Unit:

Application No: To be Determined

Examiner:

For: REMOTELY ADJUSTABLE GASTRIC BANDING DEVICE AND METHOD

CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please change the correspondence address for the above-referenced application as follows:

Customer No. 41913

Hogan & Hartson, L.L.P.
875 Third Avenue
New York, NY 10022

Date: February 14, 2005

Respectfully submitted,

Tedd W. Van Buskirk
Tedd W. Van Buskirk

Reg. No. 46,282

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